

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
D E P A R T M E N T O F H E A L T H



*Safe and Healthy Lives in Safe and Healthy Communities*

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS,  
DEPARTMENT OF HEALTH,  
BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE

No. C96-142

In the matter of:  
Necati Alp, M.D.

CONSENT ORDER

A notification was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") by the State of Maryland which states that Necati Alp, M.D., Respondent, violated state law relative to the practice of medicine. An investigation was conducted by Investigating Committee I, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Facts with respect to the professional performance of the Respondent.

Findings of Fact

1. The Respondent is a psychiatrist who maintains a private practice in Maryland. A patient consulted the Respondent for psychiatric care in 1990 and thereafter continued to receive treatment from the Respondent in therapy sessions on an approximate weekly basis. The patient remained under the Respondent's care until October 12, 1993.

2. During the course of the patient's treatment, the Respondent engaged in physical contact with her including hugging and kissing; performed physical exams on her, including applying a medicinal ointment to her chest which occurred at the patient's home; visited the patient at her home; inquired into renting a room at her home to use as an office; invited the patient for meals at the Respondent's home, and engaged in gift giving.

3. On September 22, 1993, the patient informed the Respondent in writing that she did not want to engage in any hugging, touching or kissing with the Respondent, and that she would not permit such behavior to continue.

4. Subsequently, at the end of her therapy session with the Respondent on October 12, 1993, the Respondent engaged in physical contact with the patient including hugging and kissing.

5. The Maryland Board and the Maryland Psychiatric Society (MPS) conducted an investigation into the matter. The Psychiatric Society issued a report to the Board dated October 14, 1994 finding that the Respondent engaged in unprofessional conduct and failed to meet the standard for delivery of quality psychiatric care. MPS found that the Respondent committed boundary violations which included the following:

- a. engaged in ambiguous physical contact with a patient such as kissing and hugging;
- b. performed physical exams on a patient including applying ointment to her bare chest;
- c. requested to rent office space in the patient's home;
- d. served the patient meals in Respondent's home;
- e. socialized with the patient;
- f. engaged in gift giving; and
- g. acted as the patient's primary care physician.

The MPS also found that the Respondent failed to fully comprehend the nature, extent, meaning, effect, risks and harm of the boundary violations.

6. The Respondent was found guilty of unprofessional conduct in the practice of medicine in violation of MD. CODE ANN., HEALTH OCC. §14-404(a)(3) (1994) and failed to meet appropriate peer review for the delivery of quality medical care performed in an office in Maryland in violation of MD. CODE ANN., HEALTH OCC. §14-404(a)(22) (1994).

7. The Board of Medical Licensure and Discipline finds that the Respondent has violated Rhode Island General Laws 5-37-5.1 (21) for acts in the State of Maryland which are grounds for discipline in Rhode Island.

The parties agree as follows:

- (1) The Respondent is a physician who is licensed in the State of Rhode Island, allopathic license number 5203.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on the Respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally, or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for those "specifically" contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become

acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;

- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct.

(6) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its exercise of its discretion, shall determine.

(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(9) Respondent voluntarily accepts the Board's finding of unprofessional conduct and the sanction of a Surrender of his active license to practice. Respondent's license to practice medicine in the State of Rhode Island is hereby placed on inactive status in the State of Rhode Island in accordance with the terms consented to by the Respondent in

the Maryland Order. All terms of the Order of the State of Maryland shall be given Full Faith and Credit and are hereby incorporated into this Order by reference.

Signed this

4<sup>th</sup> day of April 1997.

Necati M. Alp, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on April 9, 1997.

Patricia A. Nolan MD, MPH  
Patricia A. Nolan, MD, MPH  
Director of Health  
Chairperson  
Board of Medical Licensure and  
Discipline